



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

May 22, 2025

By ECF

The Honorable John P. Cronan
United States District Judge
Southern District of New York
500 Pearl St.
New York, New York 10007

Re: *Imhof v. New York City Housing Authority, et al.*, No. 23 Civ. 1880 (JPC) (JW)

Dear Judge Cronan:

My Office represents defendant Daniel Sherrod in the above-referenced action. I write respectfully to request (i) a 30-day extension of the May 23, 2025, deadline to submit supplemental briefing in support of Mr. Sherrod's motion for summary judgment, and (ii) an adjournment of the oral argument that has been scheduled for May 27, 2025. *See* ECF No. 121. The reason for this request is that I am only just joining this case to cover for my colleague, who as of Tuesday is taking parental leave three weeks early due to the birth of her child. This case has been ongoing for more than two years and has a lengthy procedural history. An extension of the briefing deadline to June 23, 2025, and an adjournment of the oral argument would allow me to get up to speed and ably represent Mr. Sherrod.

Plaintiff does not consent to the request. Plaintiff's counsel provided the following position late last night:

Mr. Liss, we are opposed. The factual record in this case is very thin for summary judgment purposes. Your client is a federal employee, ours is not. The papers are briefed [*sic*] a narrow legal issue and the Court has directed us to familiarize ourselves with a single case and a single statute. The "universe" of this summary judgement motion is 2 facts and about 5 cases. I saw your bio online and I'm fully confident a lawyer with your background will be prepared for the argument. As well, there's never a perfect time for anything in our world as litigators. The government has known about these papers and this date for a long time, we are eager and prepared to go forward.

I thank the Court for its consideration of this request. I am available for oral argument at any time in late June or in July, except from June 26 through June 30.


Respectfully,

JAY CLAYTON
United States Attorney for the
Southern District of New York

By: /s/ Jeremy Liss
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The instant request is granted in part. The oral argument currently scheduled for May 27, 2025, is adjourned to June 9, 2025, at 10:00 a.m. Plaintiff's counsel shall immediately inform the Court if June 9 is one of the days that week when he has a full-day obligation and, if so, what days that week he does not have such an obligation. The deadline for the parties to submit supplemental briefs is extended to June 5, 2025. The Clerk of Court is respectfully directed to close Docket Number 123.

SO ORDERED.
Date: May 23, 2025
New York, New York


JOHN P. CRONAN
United States District Judge